

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY
("PREPA"),

Debtor.

PROMESA

Title III

No. 17 BK 4780-LTS

**This Motion relates to PREPA
and shall be filed in Lead Case
No. 17 BK 3283-LTS and Case
No. 17 BK 4780-LTS.**

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY
("PREPA"),

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico ("Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Movant,

v.

UNIÓN DE TRABAJADORES DE LA INDUSTRIA
ELÉCTRICA Y RIEGO *et al.*

Respondents.

**MOTION OF THE PUERTO RICO ELECTRIC POWER AUTHORITY FOR LEAVE
TO SUBMIT SPANISH LANGUAGE EXHIBIT AND FOR EXTENSION OF TIME TO
FILE CERTIFIED TRANSLATION**

To the Honorable United States District Judge Laura Taylor Swain:

Movant the Puerto Rico Electric Power Authority (“PREPA”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole representative of PREPA pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”)², and the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”) (PREPA, the Oversight Board and AAFAF are referred to collectively as the “Government Parties”), hereby submit this motion requesting the entry of an order, substantially in the form of **Exhibit A** hereto (the “Proposed Order”), granting the Government Parties leave to submit one Spanish-language exhibit in connection with the Omnibus Reply (as defined below) being filed today and an extension of time to file a certified English-language translation, and in support thereof, respectfully allege and pray as follows:

1. Today, the Government Parties filed the *Omnibus Reply in Support of PREPA’s Motion for Entry of Order Allowing Administrative Expense Claim for Compensation for Front-End Transition Services under Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement with LUMA Energy* (the “Omnibus Reply”).

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

2. In support of the arguments in the Omnibus Reply, the Government Parties attached as Exhibit A to the Omnibus Reply a copy of *Unión de Trabajadores de la Industria Eléctrica y de Riego (UTIER) v. Autoridad de Alianzas Público-Privadas de Puerto Rico*, KLRA202000170 (PR Court of Appeals July 3, 2020) (Resolution) in its original Spanish language (the “Spanish-Language Authority”). Due to time constraints, despite diligent efforts, PREPA was unable to obtain a certified English-language translation of the Spanish-Language Authority from its original Spanish language prior to today’s filing. Accordingly, PREPA seeks leave from this Court to submit the Spanish-Language Authority in its original Spanish language and requests an extension of 9 days, to and including September 11, 2020, to file a certified English-language translation of the Spanish-Language Authority pursuant to Local District Court Rule 5(g).

WHEREFORE, PREPA respectfully requests the Court enter the Proposed Order, attached hereto as **Exhibit A**, permitting it to file the Spanish-Language Authority in its original Spanish language, granting it until September 11, 2020 to submit a certified English-language translation of the Spanish-Language Authority, and granting such other and further relief as is just and proper.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 2nd day of September, 2020.

Dated: September 2, 2020
San Juan, Puerto Rico

Respectfully submitted,

PROSKAUER ROSE LLP

/s/ Paul V. Possinger

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Exhibit A

Proposed Order

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

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shall be filed in Lead Case No. 17
BK 3283-LTS and Case No. 17 BK
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Movant,

v.

UNIÓN DE TRABAJADORES DE LA INDUSTRIA
ELÉCTRICA Y RIEGO *et al.*

Respondents.

**[PROPOSED] ORDER ON MOTION OF THE PUERTO RICO ELECTRIC POWER
AUTHORITY FOR LEAVE TO SUBMIT SPANISH LANGUAGE EXHIBIT AND FOR
EXTENSION OF TIME TO FILE CERTIFIED TRANSLATION**

Upon consideration of the *Motion of the Puerto Rico Electric Power Authority for Leave to Submit Spanish Language Exhibit and for Extension of Time to File Certified Translation* (the “Motion”), filed by the Puerto Rico Electric Power Authority (“PREPA”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole representative of PREPA pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”)², and the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”) (PREPA, the Oversight Board and AAFAF are referred to collectively as the “Government Parties”), and dated September 2, 2020, for an order granting the Government Parties leave to submit a Spanish-language version of *Unión de Trabajadores de la Industria Eléctrica y de Riego (UTIER) v. Autoridad de Alianzas Público-Privadas de Puerto Rico*, KLRA202000170 (PR Court of Appeals July 3, 2020) (Resolution) as Exhibit A to the *Omnibus Reply in Support of PREPA’s Motion for Entry of Order Allowing Administrative Expense Claim for Compensation for Front-End Transition Services under Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement with LUMA Energy* (the “Omnibus Reply”), and an extension of 9 days, to and including September 11, 2020, to file a certified English

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

translation of the Spanish-Language Authority³, as more fully set forth in the Motion; and the Court having jurisdiction to consider the Motion and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and notice of the Motion being adequate and proper under the circumstances, and no other or further notice being required; and finding good cause for the requested relief, it is hereby ORDERED that:

1. The Motion is GRANTED as set forth herein.
2. The Government Parties are permitted to file a Spanish-language version of the Spanish-Language Authority.
3. The Government Parties' certified English-language translation of the Spanish-Language Authority shall be due on or before September 11, 2020.
4. The Court retains exclusive jurisdiction to hear and determine any and all disputes related to or arising from the implementation, interpretation and enforcement of this Order.

Dated: _____

UNITED STATES DISTRICT JUDGE

³ Capitalized terms used but not defined herein shall have the meanings set forth in the Motion.

CERTIFICATE OF SERVICE

I hereby certify that, on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notifications of such filing to all CM/ECF participants in this case.

/s/ Hermann D. Bauer
Hermann D. Bauer